

REMARKS

[0001] The following paragraphs are numbered for ease of future reference. Claims 22-28 are all the claims presently pending in this application. Applicant respectfully traverses the rejections based on the following discussion.

I. DOUBLE PATENT REJECTION UNDER 35 U.S.C. § 101

[0002] Claims 22, 23-25, and 27-28 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims of U.S. Pat. No. 7,529,353. Applicant has filed herewith a Terminal Disclaimer for the instant application in view of U.S. Pat. No. 7,529,353.

II. THE PRIOR ART REJECTION

The 35 U.S.C. § 103(a) Rejection over Crockett further in view of Guigui

[0003] Claims 22-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Crockett, U.S. Pat. App. Pub. No. 2004/0141596, (hereinafter “Crockett”), further in view of Guigui, U.S. Pat. App. Pub. No. 2004/0186901, (hereinafter “Guigui”).

[0004] The Examiner alleges that one of ordinary skill in the art would have been motivated to modify Crockett with the teaching from Guigui to form the invention of claims 22-28. Applicant submits, however that these references would not have been combined and even if combined, the combination would not teach or suggest each element of the claimed invention.

[0005] Applicant traverses the Examiner’s rejection since, among other reasons, Guigui discloses a SCP proxy provided with an XML converter able to effect conversion between MAP/TCAP

protocols and XML data formats, while Applicant's claimed invention is directed toward converting a request for voice instructions to said call control protocol, and vice versa, using call control protocol to CCXML/Voice XML converter.

[0006] More specifically, Applicant submits, that neither Crockett, nor Guigui, nor any alleged combination thereof, teaches or suggests:

“forwarding a request for voice instructions from said CCXML/Voice XML browser to a call control protocol to CCXML/Voice XML converter,”

“converting said request for voice instructions to said call control protocol using said converter,”

“forwarding said request for voice instructions from said converter to said control point,”

“returning voice instructions from said control point to said converter,”

“converting said voice instructions from said call control protocol to said CCXML/Voice XML,” and

“returning voice instructions from said converter to said CCXML/Voice XML browser,”
according to Applicant's independent claim 22.

[0007] The Examiner on pages 5 and 6 of the After-Final Office Action admits that Crockett fails to teach Applicant's claimed invention of, “forwarding a request for voice instructions from said CCXML/Voice XML browser to a call control protocol to CCXML/Voice XML converter; converting said request for voice instructions to said call control protocol using said converter; forwarding said request for voice instructions from said converter to said control point; returning voice instructions from said control point to said converter; converting said voice instructions from said call control protocol to said CCXML/Voice XML; and, returning voice instructions

from said converter to said CCXML/Voice XML browser.”

[0008] The Examiner on page 6 of the After-Final Office Action alleges that “Guigui discloses a system connected to a service control point comprising a converter (proxy server : [0036]) for the purpose of communicating with the service control point using a call control protocol and converting said call control protocol to an extensible markup language, XML utilized by the system ([0038] [0039] [0040]).”

[0009] However, nowhere does Guigui teach or suggest in the above-cited passages, or anywhere else for that matter, “*forwarding a request for voice instructions*,” “*converting a request for voice instructions*,” “*returning a request for voice instructions*,” and *converting voice instructions*,” per Applicant’s claimed invention. It is a fact that Guigui merely discloses a data conversion proxy layer 12 including proxy servers 12a to 12h that “are each “tuned” to a particular type of communications network data, and are configured to convert aspects of that data into a format that is suitable for storage in the data storage layer” 14. (Emphasis added. Note that Guigui has a typographical error at the end of paragraph [0036], that should not read “13”, but instead “14”. See paragraph [0051] of Guigui.)

[0010] Nowhere is there any disclosure, teaching or suggestion in Guigui of any element equivalent to Applicant’s claimed “*a request for voice instructions*.” Furthermore, the purpose of the proxy layer 12 is to convert particular types of communication network data “into a format...for storage in the data storage layer,” and not for transmitting any voice instructions in any converted format to other control points for further processing within the system of Guigui. Therefore, Guigui fails to overcome the deficiencies of Crockett.

[0011] Additionally, the Examiner states on page 7 of the After-Final Office Action that, “However, Crockett et al. discloses forwarding a request for voice instructions and returning

voice instructions. ([0112][0113]). Additionally, Guigui discloses converting call control protocol to XML as discussed above. Any request or response to the request must be carried within a protocol. Therefore, any conversion of protocol as disclosed in Guigui comprises converting any information transmitted within the protocol. So, the combination of Crockett et al. and Guigui can convert the voice instructions or requests while converting the protocol since the voice instructions and requests are embodied within the protocol.”

[0012] However, Applicant's respectfully traverse the Examiner's rejection since the data conversion proxy layer 12 of Guigui has the specific purpose of converting protocols to be stored in the data storage layer 14. Thus, the alleged combination of references maintained by the Examiner fails to teach or suggest Applicant's “request for voice instructions” being forwarded to “a call control protocol to CCXML/Voice XML converter” and a “control point,” “returning voice instructions from said control point to said converter,” and further “converting said voice instructions from said call control protocol to said CCXML/Voice XML,” since Guigui merely stores converted protocols in the data storage layer 14 after conversion.

[0013] Furthermore, though the Examiner identifies where Crockett teaches or suggest “voice instructions,” the combination of the teaching of Crockett and Guigui fails to teach or suggest every element of Applicant's claimed invention since Guigui fails to specify Applicant's claimed transmission and conversion of “voice instructions” by teaching away from Applicant's claimed invention in that all converted data from conversion proxies 12a to 12h are stored in the data repository 14. Additionally, Guigui is concerned with a wholly different problem than Crockett and Applicant's claimed invention, namely, a system for managing user profile data, a data storage layer to store user profile data relating to a communications network, and a data conversion layer capable of converting the user profile data into a plurality of communications

network formats. (See Abstract of Guigui.)

[0014] In summary, the Examiner admits that Crockett fails to teach Applicant's claimed, "forwarding a request for voice instructions from said CCXML/Voice XML browser to a call control protocol to CCXML/Voice XML converter; converting said request for voice instructions to said call control protocol using said converter; forwarding said request for voice instructions from said converter to said control point; returning voice instructions from said control point to said converter; converting said voice instructions from said call control protocol to said CCXML/Voice XML; and, returning voice instructions from said converter to said CCXML/Voice XML browser," but Guigui merely discloses a data conversion proxy layer 12 including proxy servers 12a to 12h that "are each "tuned" to a particular type of communications network data, and are configured to convert aspects of that data into a format that is suitable for storage in the data storage layer" 14. See paragraph [0051] of Guigui. Applicant's claimed invention on the other hand is directed toward, *providing a voice dialogue in a telephone network by converting a request for voice instructions to said call control protocol, and vice versa, using call control protocol to CCXML/Voice XML converter.*

[0015] Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection since the alleged prior art references to Crockett and Guigui (either alone or in combination) fail to teach or suggest each element and feature of Applicant's claimed invention.

III. FORMAL MATTERS AND CONCLUSION

[0016] In view of the foregoing, Applicant submits that claims 22-28, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at

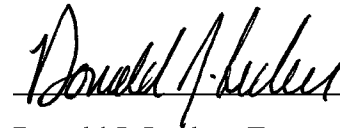
the earliest possible time.

[0017] Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic interview.

[0018] The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 09-0469.

Date: June 30, 2009

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Donald J. Lecher", written over a horizontal line.

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